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| TO:  | COMMISSIONER OF PATENTS  |  |  |  |
| FAX NO.:                                     | (571) 273-8300   | <u> </u>   |  |  |
| FROM:  | KIN-WAH TONG, ESO.   |  |  |  |
| DATE:  | May 29, 2008   |  |  |  |
| MATTER:                                      | U.S. SERIAL NO. 10/734,802   | FILED DECEMBER 12, 2003  |  |  |
| DOCKET NO.:                                  | YOR920030570US1  |  |  |  |
| APPLICANT:                                   | CHESS, ET AL.  |  |  |  |
| THE DATE OF THIS FA                          | ACSIMILE:<br>NT FORM (PTO-2038)<br>TEMENT & PTO-1449                                       | **X TRANSMITTAL LETTER (2 COPIES)  FEE TRANSMITTAL (2 COPIES)  DEPOSIT ACCOUNT TRANSACTION                           |  |  |
| X REQUEST FOR CONTI                          |  | X FACSIMILE TRANSMISSION CERTIFICATE   |  |  |
| REQUEST FOR CONTINUED EXAMINATION (2 COPIES) |  | DATED MAY 29, 2008  CHANGE OF CORRESPONDENCE ADDRESS   |  |  |
| I HEREBY CERT                                | CERTIFICATE OF TRANSMISSION TIFY THAT THIS CORRESPONDENCE IS 1450 ALEXANDRIA VA 22313-1450 | NUNDER 37 C.F.R. §1.8<br>BEING TRANSMITTED BY FACSIMILE TO COMMISSIONER<br>ON 5/29/08, FACSIMILE NO. (571) 273-8300. |  |  |
| KIRSTEN HUNTER NAME OF PERSON SIGNI          |  | SIGNATURE AND DATE   |  |  |

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|   |   | Application Number                              | Ī                    | 10/734,802  |  |  |
|---|---|---|----------------------|---|--|--|
| TRANSMITTAL<br>FORM   |   | Filing Date                                     |                      | December 12, 2003   |  |  |
|   |   | First Named Inventor                            |                      | Chess, et al.   |  |  |
|   |   | Art Unit  |                      | 2139  |  |  |
|   |   | Examiner Name                                   | Name James R. Turo   |   | ırchen   |  |
| (to be used for all correspondence after<br>Total Number of Pages In This Submis                                  | Attorney Docket Nurr                            | nber  | YOR920030            | 570US1  |  |  |
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| Fee Transmittal Form Drawin   |   |   |                      | After Allowance Communication to TC   |  |  |
|   |   | ensing-related Papers                           |                      |   | mmunication to Board   |  |
| Fee Attached  |   |   |                      | of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |  |  |
| Amendment / Reply   | Petition  |   |                      |   |  |  |
| ☐ After Final   | Provision                                       | o Convert to a<br>nai Application               |                      | Proprietar  | y Information  |  |
| Affidavits/declaration(s)   | Power of Change                                 | Attorney, Revocation<br>of Correspondence Addre | 56                   | Status Let  | tter   |  |
| Request for Continued   | Credit C  | ard Payment Form (PTO-2                         | 2038)                | Other En  | closure(s)<br>ntify below):                                  |  |
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| tnformation Disclosure Statement  | _   |   | andscape Table on CD |   |  |  |
| Certified Copy of Priority Document(s)  | •   |   |                      |   |  |  |
| Reply to Missing Parts/   | •   |   |                      |   |  |  |
| Incomplete Application  |   |   |                      |   |  |  |
| under 37 CFR1.52 or 1.53  | Reply to Missing Parts under 37 CFR1.52 or 1.53 |   |                      |   |  |  |
| SI  | GNATURE OF                                      | APPLICANT, ATTOR                                | NEY, O               | RAGENT  |  |  |
| Firm  |   |   |                      |   |  |  |
| Signature   |   | 2/2   |                      |   |  |  |
| Printed Name Kin-Wah Tong   |   | g, Esq.   |                      |   |  |  |
| Date May 29, 2008   |   | 3   | Reg.<br>No.          | 39,400  |  |  |
|   |   | ATE OF TRANSMISS                                |                      |   |  |  |
| I hereby certify that this correspond<br>Service with sufficient postage as<br>Alexandria, VA 22313-1450 on the c | first class mai                                 | il in an envelope ecores                        | e USPTC<br>sed to: ( | or deposited<br>Commissioner  | with the United States Postal<br>for Patents, P.O. Box 1450, |  |
| Signature   |   |   |                      |   |  |  |
| Typed or printed name Kirsten Hunter  |   |   |                      | Date  | May 29, 2008   |  |

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|  |                     | Application Number                |                      | 10/734,802                                  | 2  |                 |                 |  |
|--|---------------------|-----------------------------------|----------------------|---|--|-----------------|-----------------|--|
| TRANSMITTAL  | Filing Date         |                                   | December             |   |  | ECEIVED         |                 |  |
| FORM   | First Named Invento | or                                | Chess, et a          | al. C                                       | ENTRAL   | . FAX CENTER    |                 |  |
| <del>,</del>   |                     | Art Unit                          |                      | 2139  |  | MAY             | 2 9 <b>2008</b> |  |
| the harmonic for all common adapta affects   | indial filipal      | Examiner Name                     |                      | James R.                                    | Turchen  |                 |                 |  |
| (to be used for all correspondence after initial filing) Total Number of Pages in This Submission                        |                     | Altorney Docket Nu                | mber                 | YOR92003                                    | 80570US1   | フ               |                 |  |
|  | ENCLO               | SURES (check all that             | apply)               |   |  |                 |                 |  |
| Fee Transmittal Form   | Drawing(            |                                   | <u> </u>             | After Alk                                   | owance Communication to                            | тс              |                 |  |
| Fee Attached   | Licensing           | -related Papers                   |                      |   | Communication to Board<br>als and Interferences    |                 |                 |  |
| Amendment / Reply  | Petition            |                                   |                      | Appeal C                                    | Communication to TC<br>lotice, Brief, Reply Brief) |                 |                 |  |
| After Final  |                     | o Convert to a<br>nal Application |                      | Proprieta                                   | ary Information                                    |                 |                 |  |
| Affidavits/declaration(s)  | Power of            |                                   |                      | Status L                                    | etter  |                 |                 |  |
| Request for Continued  Examination   |                     | ard Payment Form (PTO-            | 2038)                | Other Enclosure(s) (please Identify below): |  |                 |                 |  |
|  | Request             | for Refund                        |                      | Facslmile Tr                                | ansmission   |                 |                 |  |
| Express Abandonment Request CD, N  |                     | ber of CD(s)                      |                      |   |  |                 |                 |  |
| ☐ Information Disclosure Statement   | □ Lai               | ☐ Landscape Table on CD           |                      |   |  |                 |                 |  |
| Certified Copy of Priority Document(s)   | Remarks             |                                   |                      |   |  |                 |                 |  |
| Reply to Missing Parts/  | İ                   |                                   |                      |   |  |                 |                 |  |
| Incomplete Application Reply to Missing Parts  | •                   |                                   |                      |   |  |                 |                 |  |
| under 37 CFR1.52 or 1.53   |                     |                                   |                      |   |  |                 |                 |  |
| SIG  | NATURE OF           | APPLICANT, ATTOR                  | NEY, O               | R AGENT_                                    |  |                 |                 |  |
| Flim   | Patterson & Sh      | neridan, LLP                      |                      |   |  |                 |                 |  |
| Signature  | 2/2                 |                                   |                      |   |  |                 |                 |  |
| Printed Name   | Kin-Wah Tong        | . Esq                             |                      |   |  |                 |                 |  |
| Date   | May 29, 2008        |                                   | Reg.<br>No.          | 39,400                                      |  |                 |                 |  |
|  | CERTIFICA           | ATE OF TRANSMISSI                 | ION/MAI              | LING  |  | $\overline{}$   |                 |  |
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| Signature  | Minte               | T.                                |                      |   |  |                 |                 |  |
| Typed or printed name Kirsten F  | iunter              | -                                 |                      | Date  | May 29, 2008                                       |                 |                 |  |

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collection of information unless it displays a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are required to respond to Request 10/734,802 Application Number For December 12, 2003 Filing Date Continued Examination (RCE) David M. Chess First Named Inventor **Transmittal** Address to: 2139 Art Unit Mail Stop RCE Commissioner for Patents Turchen, James R. Examiner Name P.O. Box 1450 Alexandria, VA 22313-1450 YOR920030570US1 Attorney Docket Number

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MAY 29 2008

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

|  | ,y  |  |  |  |  |  |  |
|--|---|--|--|--|--|--|--|
| 1. Submission required under 37 C.F.R. 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). |   |  |  |  |  |  |  |
| a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.  |   |  |  |  |  |  |  |
| <ul> <li>i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on</li> <li>ii. Other: Response to Final Office Action filed with USPTO April 29, 2008.</li> </ul>  |   |  |  |  |  |  |  |
|  | mendment/Reply iii. Information Disclosure Statement (iDS) iiidavit(s)/Declaration(s) iv. Other |  |  |  |  |  |  |
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| b. Other   |   | O 4 444 when                             | n the BCE is filed                                       |  |  |  |  |
| ريتين  | The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.       |  |  |  |  |  |  |
| <ul> <li>The Director is hereby authorized to charge the following fees, or credit any overpayments: to<br/>Deposit Account No.</li> </ul>   |   |  |  |  |  |  |  |
| i. 🔲 RC  | I. RCE fee required under 37 C.F.R. 1.17(e)   |  |  |  |  |  |  |
| III.   The Director is hereby authorized to charge any deficient fees which may be required that was not obtained from the credit card listed in Form PTO-2038, or credit any overpayment, to Deposit Account Number 20-0782.  |   |  |  |  |  |  |  |
| b. Check in the amount of \$ enclosed  |   |  |  |  |  |  |  |
| c. X Payment by credit card (Form PTC-2039 enclosed)   |   |  |  |  |  |  |  |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED  |   |  |  |  |  |  |  |
| Name (Print /Type)   | Kin-Wah Tong, Esq.  | Registration No. (Attorney/Agent) 39,400 |  |  |  |  |  |
| Signature  | gnature Date May 29, 2008   |  |  |  |  |  |  |
| CERTIFICATE OF MAILING OR TRANSMISSION   |   |  |  |  |  |  |  |
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| Name (Print /Type) Kirsten Hunter  |   |  |  |  |  |  |  |
| Signature  |   |  |  |  |  |  |  |
|  |   |  | a acceptance appeals by the public which is to file (20) |  |  |  |  |

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| Request  | Application Number   | 10/734,802   |                    |
| For  | Filing Date  | December 12, 2003  | RECEIVED           |
| Continued Examination (RCE) Transmittal  | First Named Inventor   | David M. Chass   | CENTRAL FAX CENTER |
| Address to:  | Art Unit   | 2139   | MAY 29 2008        |
| Mail Stop RCE Commissioner for Patents   | Examiner Name  | Turchen, James R.  |                    |
| P.O. Box 1450<br>Alexandria, VA 22313-1450   | Attorney Docket Numbe  | YOR920030570U\$1   | <del>-</del> )     |
| This is a Request for Continued Examination (RCE) under 37 CF Request for Continued Examination (RCE) practice under 37 CFR 1. June 8, 1995, or to any design application. See Instruction Sheet for   | R 1,114 of the above-ide                                       | ntified application. utility or plant application filed pri                            | ior to             |
| amendments and amendments enclosed with the RCE will be enterinstructs otherwise. If applicant does not wish to have any previous request non-entry of such amendment(s).  Reviously submitted. If a final Office action is outstanding,                             | sly filed unentered amend<br>, any amendments filed af         | hey were filed unless applicant<br>ment(s) entered, applicant must                     |                    |
| considered as a submission even if this box is not checked  i. Consider the arguments in the Appeal Brief or Re  | ply Brief previously filed o                                   | n  |                    |
| ii. A Other: Response to Final Office Action filed with t  | JSPTO April 29, 2008.  |  |                    |
|  | Information Disclose   | ന്മ Statement (IDS)  |                    |
| 2. Miscellaneous   |  | •  | •                  |
| a. Suspension of action on the above-identified applicat a period ofmonths. (Period of suspension shall no b. Other  3. Fees The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.  a. The Director is hereby authorized to charge the follow Deposit Account No. | of exceed 3 months; Fee under<br>F.R. 1,114 when the RCE is    | r 37 C.F.R. 1.17(i) required) .  |                    |
| <u>_</u> ^   |  |  |                    |
| i. ☐ RCE fee required under 37 C.F.R. 1.17(e)  iii. ☑ The Director is hereby authorized to charge obtained from the credit card listed in Form PT Number 20-0782.  | O-2038, or credit any 0  | th may be required that was neverpayment, to Deposit Accou<br>0/2008 PCHOHP 00000004 1 | un j               |
| b. Check in the amount of \$ enclosed  | 01 F   | C:1801   | 810.00 OP          |
| c. Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become included on this form. Provide credit card in  | ne public. Credit card information and authoriz                | ormation should not<br>ation on PYO-2038.  | 32000 OF           |
| SIGNATURE OF APPLICANT, ATT  |  |  |                    |
| Name (Print /Type) Kin-Wen Tong, Esq.  | Registration No. (Atto.  |  |                    |
| Signature  | Date May   | 9, 2008  | <u></u>            |
| CERTIFICATE OF MAILIN  | G OR TRANSMISSION  |  |                    |
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| Name (Print /Type) Kirsten Hunter  |  |  |                    |
| Signature MUM TAL  | Date May 29, 2   |  | of by the          |
| This collection of information is required by 37 CFR 1.114. The information is rusPTO to process) an application. Confidentiality is governed by 35 U.S.C.   |  |  |                    |

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